Clerk of Court

# UNITED STATES DISTRICT COURT

for the

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KURT SCHEUERMAN, ET AL.,							
v. )  NESTLE HEALTHCARE NUTRITION, INC. )	) Case No.: 10-3684 (FSH) )						
BILL OF	COSTS						
Judgment having been entered in the above entitled action on	07/16/2012 again	st PLAIN	(IFFS				
the Clerk is requested to tax the following as costs:	Date						
Fees of the Clerk			\$	150.00			
Fees for service of summons and subpoena			**				
Fees for printed or electronically recorded transcripts necessarily of	<del></del>	9,738.51					
Fees and disbursements for printing			Wasalisas				
Fees for witnesses (itemize on page two)							
Fees for exemplification and the costs of making copies of any mat necessarily obtained for use in the case.				TOTAL STATE OF THE			
Docket fees under 28 U.S.C. 1923							
Costs as shown on Mandate of Court of Appeals							
Compensation of court-appointed experts				w.			
Compensation of interpreters and costs of special interpretation ser	vices under 28 U.S.C. 182	8		***************************************			
Other costs (please itemize)							
		TOTAL	\$	9,888.51			
SPECIAL NOTE: Attach to your bill an itemization and document	ation for requested costs in	all categories	•				
Declar	ration						
I declare under penalty of perjury that the foregoing costs services for which fees have been charged were actually and neces in the following manner:	are correct and were neces sarily performed. A copy	sarily incurred of this bill has	in this acti been serve	on and that the d on all parties			
	mail, postage prepaid						
Other:	7	wa ma					
s/ Attorney: Geoffrey W. Castello	6	11					
Name of Attorney: Geoffrey W. Castelld							
For: Defendant Nestle Healthcare Nutrition  Name of Claiming Party	on, Inc.	Date:	07/3	30/2012			
Taxation of Costs							
Costs are taxed in the amount of		and i	ncluded in	the judgment.			
Ry							

Deputy Clerk

Date

## UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)								
	ATTENDANCE SU		SUBSISTENCE		MILEAGE		Total Cost	
NAME , CITY AND STATE OF RESIDENCE	Days	Total Cost	Days	Total Cost	Miles	Total Cost	Each Witness	
							\$0.00	
							\$0.00	
							\$0.00	
							\$0.00	
							\$0.00	
							\$0.00	
					TO	OTAL	\$0.00	

#### NOTICE

### Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

### See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

# The Federal Rules of Civil Procedure contain the following provisions: RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

#### RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

#### **RULE 58(e)**

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.